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| 10/035,999 | 12/31/2001 | Shanmugasundaram Ravikumar | ARC920020121US1 | 2455 |

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MARK D. MCSWAIN
IBM ALMADEN RESEARCH CENTER, IP LAW DEPT.
650 HARRY ROAD
CHTA/J2B
SAN JOSE, CA 95120

EXAMINER

PITARO, RYAN F

ART UNIT PAPER NUMBER

2174

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/035,999

Applicant(s)

RAVIKUMAR ET AL.

Examiner

Ryan F Pitaro

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 8 April 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 14-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-12, 14-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This Communication is responsive to the Amendment filed 4/08/2005.
2. Claims 1-12,14-17 are pending in this application. Claims 1-12,14-17 have been amended and claim 13 has been cancelled. Claims 1,6,16,17 are independent claims. This action is made Final.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1,2,6,7,8,10,14-17 are rejected under 35 U.S.C. 103(a) as being anticipated by Sasaki et al ("Sasaki", US 6,122,005) in view of Kaplan ("Kaplan", US 5280,275) in further view of Mankoff ("Mankoff", US 6,868,426).

As per independent claim 1, Sasaki discloses generating a pull-down menu in a graphical user interface (Column 9 lines 11-20); and moving labeled items in said pull-down menu representing choices such that relative positions of said items correspond to relative user preferences (Column 10 lines 1-10). Sasaki fails to distinctly point out enabling a user to move labeled items in said pull-down menu. However, Kaplan teaches enabling a user to move labeled items in said pull-down menu (Column 5 lines 17-24) representing user choices

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such that relative positions of said items correspond to relative user preferences (Column 5 lines 17-24). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Kaplan into the system of Sasaki. Motivation to do so would have been to provide a user implemented way of reorganizing a list for quick access. Sasaki-Kaplan fail to particularly point out the choices being electronic commerce transactions. However, Mankoff teaches the user choices of the pull down menu describing variables in electronic commerce transactions (Column 10 lines 28-30). Therefore it would have been obvious to an artisan at the time of the invention to combine the teaching of Mankoff within the system of Sasaki-Kaplan. Motivation to do so would have been to provide a user with a simple and personalized way to shop online.

As per claim 2, which is dependent on claim 1, Sasaki-Kaplan-Mankoff discloses the method comprising the step of deleting said items representing unacceptable user choices (Sasaki, Column 12 lines 40-45).

Claim 6 is similar in scope to that of claim 1 and is therefore rejected under similar rationale.

As per claim 7, which is dependent on claim 6, Sasaki-Kaplan-Mankoff discloses the system wherein the computing device is at least one of: a personal computer (Sasaki, Column 4 lines 36-45; *wherein all of the components working together form a personal computer*), a cellular telephone, a personal digital assistant, a pager.

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As per claim 8, which is dependent on claim 6, Sasaki-Kaplan-Mankoff discloses the system wherein the pull-down menu is persistent (Sasaki, Column 10 lines 8-15; *wherein persistent is defined as remaining after a period of time*).

As per claim 10, which is dependent on claim 6, Sasaki-Kaplan-Mankoff discloses the system wherein pull-down menu is a vertical list of buttons (Sasaki, Figure 5).

As per claim 14, which is dependent on claim 13, Sasaki-Kaplan-Mankoff discloses the system wherein the electronic commerce transactions include at least one of: making travel reservations, shopping online (Mankoff, Column 10 lines 28-30), choosing a restaurant, selecting a vendor, providing marketing data, specifying employment interest.

As per claim 15, which is dependent on claim 6, Sasaki-Kaplan-Mankoff discloses the system where the input device is at least one of: a mouse (Sasaki, Figure 1 item 28), an isometric finger-operated computer pointing device, a trackball, a keyboard (Sasaki, Figure 1 item 26), a stylus, a touch-sensitive screen, a speech analyzer.

Claims 16 and 17 are individually similar in scope to that of claim 1, and are therefore rejected under similar rationale.

5. Claims 3-5,9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al ("Sasaki", US 6,122,005) and Kaplan ("Kaplan", US 5,280,275) and Mankoff ("Mankoff", US 6,868,426) in view of Windows NT ("WINNT", Windows NT screen dumps).

As per claim 3, which is dependent on claim 1, Sasaki-Kaplan-Mankoff fails to distinctly point out deleting said items representing uninteresting choices. However, WINNT teaches deleting the items representing uninteresting user choices (Figures 4a-4b; *Winzip*). Therefore it would have been obvious to an artisan at the time of the invention to combine Sasaki-Kaplan-Mankoff's method with the teaching of WINNT. Motivation to do so would have been to provide only the items on the menu that the user will utilize, making the selection smaller and cutting the search time.

As per claim 4, which is dependent on claim 1, Sasaki-Kaplan-Mankoff fails to distinctly point out a cut-off bar. However, WINNT teaches limiting the number of items by using a cut-off bar (Figure 2 item 30). Therefore it would have been obvious to an artisan at the time of the invention to combine Sasaki-Kaplan-Mankoff's method with the teaching of WINNT. Motivation to do so would have been to only allow a certain number of items to cut the search time of scrolling through too many items in the menu.

As per claim 5, which is dependent on claim 1, Sasaki-Kaplan-Mankoff fails to distinctly point out clicking and dragging. However, WINNT teaches a moving step comprises substeps of clicking and dragging (Figure 3a-3b). Therefore it would have been obvious to an artisan at the time of the invention to combine Sasaki-Kaplan-Mankoff's method with the teaching of WINNT. Motivation to do so would have been to provide a visual way of moving items so that the user can see which place of the order to put the item.

As per claim 9, which is dependent on claim 6, Sasaki-Kaplan-Mankoff fails to distinctly point out items that form a hierarchy. However, WINNT teaches a system wherein the items form a hierarchy (Figure 2). Therefore it would have been obvious to an artisan at the time of the invention to combine Sasaki-Kaplan-Mankoff's system with the teaching of WINNT. Motivation to do so would have been to provide a simple way of organizing the items so that they can easily be displayed.

6. Claims 11 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sasaki et al ("Sasaki", US 6,122,005) and Kaplan ("Kaplan", US 5,280,275) and Mankoff ("Mankoff", US 6,868,426) in view of JavaScript Buttons ("JavaScript Buttons", <http://www.jsr.communitech.net/buttons.htm>).

As per claim 11, which is dependent on claim 6, Sasaki-Kaplan-Mankoff fails to disclose a horizontal list of buttons. However, JavaScript Buttons teaches a system where the menu is a horizontal list of buttons. Therefore it would have been obvious to an artisan at the time of the invention to combine the system of Sasaki-Kaplan-Mankoff with the teaching of JavaScript Buttons. Motivation to do so would have been to provide another way of presenting the information while utilizing the horizontal space on the interface, while taking up less space on the screen.

As per claim 12, which is dependent on claim 6, Sasaki-Kaplan-Mankoff fails to disclose the menu implemented in HTML or JavaScript. However, JavaScript Buttons teaches a menu implemented in JavaScript (Page 1). Therefore it would have been obvious to an artisan at the time of the invention to

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combine the system of Sasaki-Kaplan-Mankoff with the teaching of JavaScript Buttons. Motivation to do so would have been to produce interactive menus to make the interface more appealing and useable.

Response to Arguments

Applicant's arguments with respect to claims 1-12,14-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ryan F Pitaro whose telephone number is 571-272-4071. The examiner can normally be reached on 7:00am - 4:30pm M-Th, and alternating F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 571-272-4063. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ryan Pitaro
Patent Examiner
Art Unit 2174

RFP


KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100